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Remarks

The Office Action of 08/11/2004 rejected claims 1, 3, 6, 8, 11, 13, 16, and 18 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2003/0063714 by P.M. Stumer, et al. (hereafter referred to as Stumer). Further, the Office Action rejected claims 4-5, 9-10, 14-15, and 19-20 as being unpatentable under 35 U.S.C. §103(a) in view Stumer. The Office Action objected to claims 2, 7, 12, and 18 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejection of Claims 1 and 3 under 35 U.S.C. 102(b)

This rejection is respectfully traversed. Claim 1 recites:

A method for routing emergency telephone calls via an IP softphone to a public safety answering point, comprising the steps of:

communicating non-emergency telephone calls via a wide area network by the IP softphone;

detecting an emergency telephone call being originated by the IP softphone;

originating a communication path via an cellular radio interface to a cellular network; and

communicating the emergency telephone call via the communication path via the cellular network to the public safety answering point whereby the public safety answering point responds to the emergency telephone call.

The Office Action states that Stumer teaches:

...communicating non-emergency telephone calls via a wide area network by the IP Softphone; detecting an emergency telephone call being originated by the IP Softphone; originating a communication path via an cellular radio Interface to a cellular network; and communicating the emergency telephone call via the communication path via the cellular network to the public safety answering point whereby the public safety answering point responds to the emergency telephone call (paragraphs 0014-0015).

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The text cited by the Office Action makes no mention what so ever of a communication path being established via an cellular or wireless network let alone setting up such a path for a emergency telephone call. Although wireless phones are mentioned in paragraphs 25, 27, 32, 35, 36, and 42 of Stumer, there is disclosure or suggestion in Stumer of operations attributed to Stumer by the above cited text from the Office Action.

In summary, applicants submit that claim 1 is patentable over Stumer under 35 U.S.C. §102(b). Further, claim 3 is directly dependent on claim 1 and is patentable for least the same reasons as claim 1.

Rejection of Claims 6 and 8 under 35 U.S.C. 102(b)

Claims 6 and 8 are patentable for the same reasons as claims 1 and 3.

Rejection of Claims 11 and 13 under 35 U.S.C. 102(b)

Claims 11 and 13 are patentable for the same reasons as claims 1 and 3.

Rejection of Claims 16 and 18 under 35 U.S.C. 102(b)

Claims 16 and 18 are patentable for the same reasons as claims 1 and 3.

Rejection of Claims 4-5, 9-10, 14-15, and 19-20 under 35 U.S.C. 103(a)

Claims 4 and 5 are directly or indirectly dependent on claim 1 and are patentable for at least the same reasons as claim 1. Claims 9 and 10 are directly or indirectly dependent on claim 6 and are patentable for at least the same reasons as claim 6. Claims 14 and 15 are directly or indirectly dependent on claim 11 and are patentable for at least the same reasons as claim 11. Claims 19 and 20 are directly or indirectly

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dependent on claim 16 and are patentable for at least the same reasons as claim 16.

SUMMARY

In view of the foregoing, applicants respectfully requests reconsideration of claims 1-20 and allowance of these claims.

Although the foregoing is believed to be dispositive of the issues in the application, if the Examiner believes that a telephone interview would advance the prosecution, the Examiner is invited to call applicants' attorney at the telephone number listed below.

Respectfully,

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By


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